Congress and the contention that it is invalid by reason of conflict therewith, may be open beyond question.

While in the Court below the petitioner did not in terms request rulings that the Compensation Act violated the various acts of Congress referred to in the motion, yet the decision of the Supreme Court of the State that the state statute was not in conflict with Federal statutes enacted under regulatory power of Congress was essential to the judgment rendered and the Court referred to the Federal Employers' Liability Act and its operation (Opinion Supreme Court, r. pp. 32, 33), and apparently dealt with the case in the light of existing laws of Congress.

Chambers v. *Baltimore & Ohio R.R. Co.*, 207 U.S. 142, 148.
Hare v. *Rice*, 204 U.S. 291, 299.
Cissna v. *Tennessee*, 246 U.S. 289, 293.

Respectfully submitted,
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